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EXAMINER

LELE, TANMAY S

ART UNIT PAPER NUMBER

2681

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/532,235

Applicant(s)

ISHIGAMI, MASAHIRO

Examiner

Tanmay S Lele

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claim 17 is objected to because of the following informalities: states "... includes at least one of Japanese kana syllabary, kanji, and alphanumeric characters." The use of "and" indicates all three limitations are included. Appropriate correction is required.
3. Claim 25 is objected to because of the following informalities: states "... comprises at least one selected from the group consisting of alphanumeric characters and graphic symbols." The use of "and" indicates all limitations are included. Appropriate correction is required.
4. Claim 28 is objected to because of the following informalities: was numbered 23. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless ---

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application

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being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1, 3, 4, 5, 7, 16, and 21 – 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Prior et al. (Prior, US Patent No. 6,349,220).

Regarding claim 1, Prior teaches of a mobile terminal comprising a touch panel on back thereof and means for recognizing hand-entered information entered from said touch panel (column 1, lines 25 – 37).

Regarding claim 3, Prior teaches all the claimed limitations as recited in claim 1. Prior further teaches of further comprising: means for moving information displayed on a screen in a display area in response to a predetermined entry operation from said touch panel (column 1, lines 38 – 46).

Regarding claim 4, Prior teaches all the claimed limitations as recited in claim 1. Prior further teaches further comprising: means for vertically or horizontally scrolling the display screen in the display area in response to the entry operation from said touch panel (column 1, lines 38 – 51).

Regarding claim 5, Prior teaches all the claimed limitations as recited in claim 1. Prior further teaches of further comprising: means for executing selecting or canceling a selection object from a menu or an information item group displayed on a display screen in a display area in response to the entry operation from said touch panel (column 1, lines 38 – 46 and seen in Figure 6b, and 12 – 14).

Regarding claim 7, Prior teaches all the claimed limitations as recited in claim 1. Prior further teaches that wherein the mobile terminal is configured to allow a user of

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said mobile terminal to enter information from the back of said mobile terminal by touching and stroking, or pressing, said touch panel with a finger of a hand holding said mobile terminal and, to press a predetermined key disposed in an operation entry part of said mobile terminal using some other finger of the hand (column 1, lines 25 – 37 and seen in Figures 6a, 6b, 7a, and 7b).

Regarding claim 16, Prior teaches all the claimed limitations as recited in claim 1. Prior further teaches wherein the hand-entered information includes at least alphanumeric letters (column 1, lines 38 – 47).

Regarding claim 21, Prior teaches all the claimed limitations as recited in claim 1. Prior further teaches wherein said mobile terminal comprises a cellular phone having a rectangular parallelepiped shape or a folding-type shape (as seen in Figures 1 – 11).

Regarding claim 22, Prior teaches of a mobile terminal comprising: a main housing, a display screen on a front of said housing, a touch panel disposed on a back side of the housing, and a recognition device that recognizes hand-entered information entered by applying a finger of a user's hand on the touch panel (as seen in Figures 6a, 6b, 7a, 7b, and detailed in column 1, lines 25 – 50) .

Regarding claim 23, Prior teaches all the claimed limitations as recited in claim 22. Prior further teaches wherein said recognition device recognizes said hand-entered information by detecting a position and/or locus of the applied finger (column 1, lines 38 – 47 and Figure 6a and 6b and column 4, lines 47 – 66).

Regarding claim 24, Prior teaches all the claimed limitations as recited in claim 23. Prior further teaches wherein information recognized by said recognition device is displayed in said display screen (column 1, lines 37 – 47).

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Regarding claim 25, Prior teaches all the claimed limitations as recited in claim 24. Prior further teaches wherein the displayed information comprises at least one selected from the group consisting of alphanumeric characters and graphic symbols (column 1, lines 38 – 47).

Regarding claim 26, Prior teaches all the claimed limitations as recited in claim 24. Prior further teaches wherein said information displayed said display screen scrolled or moved by stroking said finger on the touch panel (column 1, lines 38 – 47 and column 4, lines 47 – 65).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 6, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior et al. (Prior, US Patent No. 6,349,220) as applied to claim 1 above, and further in view of Moriya (Moriya, UK Patent Application GB 2, 328,343).

Regarding claim 2, Prior teaches all the claimed limitations as recited in claim 1. Prior does not specifically teach of wherein said information comprises hand-written character.

In a related art dealing with a portable apparatus having an additional display on a second surface, Moriya teaches of wherein said information comprises hand-written character (as seen in Figures 3 and 7 and detailed on page 7, lines 24 – 27, the abstract, and starting page 18, line 14 and ending page 19, line, 17).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior's touch panel, Moriya's hand-written entry means, for the purposes of effectively utilizing un-used areas on a handset to input or display data without compromising the portability and operability of the portable radio apparatus, as taught by Moriya.

Regarding claim 6, Prior teaches all the claimed limitations as recited in claim 1. Prior does not specifically teach of further comprising means for recognizing a simple hand-written graphic entered from said touch panel.

In a related art dealing with a portable apparatus having an additional display on a second surface, Moriya teaches of further comprising means for recognizing a simple hand-written graphic entered from said touch panel (as seen in Figures 3 and 7 and detailed on page 7, lines 24 – 27, the abstract, and starting page 18, line 14 and ending page 19, line, 17).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior's touch panel, Moriya's hand-written entry means, for the purposes of effectively utilizing un-used areas on a handset to input or display data without compromising the portability and operability of the portable radio apparatus, as taught by Moriya.

Regarding claim 18, Prior teaches all the claimed limitations as recited in claim 1. Prior further teaches of wherein said mobile terminal recognizes a character entered through said touch panel during a search of a telephone directory stored in a storage unit with telephone numbers associated with subscriber's information, searches said telephone directory or a predetermined number of characters following said first character, displays

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candidates obtained as a result of the search, and automatically makes a call to an addressee via an entry operation through said touch panel, said addressee being selected from the candidates displayed in said display area (as seen in Figures 13 and 14 and detailed in column 7, lines 29 – 49 and column 6, lines 46 - 64).

Prior does not specifically teach of based on a recognition result of a first hand-written character or hand-written.

In a related art dealing with a portable apparatus having an additional display on a second surface, Moriya teaches of based on a recognition result of a first hand-written character or hand-written (as seen in Figures 3 and 7 and detailed on page 7, lines 24 – 27, the abstract, and starting page 18, line 14 and ending page 19, line, 17).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior's touch panel, Moriya's hand-written entry means, for the purposes of effectively utilizing un-used areas on a handset to input or display data without compromising the portability and operability of the portable radio apparatus, as taught by Moriya.

9. Claims 8, 9, and 13 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior et al. (Prior, US Patent No. 6,349,220) in further view of Moriya (Moriya, UK Patent Application GB 2, 328,343).

Regarding claim 8, Prior teaches of a mobile terminal with an operation entry part and a display area on a front thereof, comprising: a touch panel provided on a back of the terminal to allow a user, while holding the terminal with a hand, to perform an entry operation with a finger of the hand holding the terminal; and a display screen

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displaying said recognized information, said display screen being disposed in said display area (column 1, lines 25 – 37 and seen in Figures 6a, 6b, 7a, and 7b).

Prior does not specifically teach of a recognition device recognizing a hand-entered information entered from said touch panel.

In a related art dealing with a portable apparatus having an additional display on a second surface, Moriya teaches of a recognition device recognizing a hand-entered information entered from said touch panel (as seen in Figures 3 and 7 and detailed on page 7, lines 24 – 27, the abstract, and starting page 18, line 14 and ending page 19, line, 17; note that it is inherent to Moriya to have such a device as it is displaying hand-written characters; numerous chips available on the market at that time performed these functions, such as the NEC V832 microcontroller).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior's touch panel, Moriya's hand-written entry means, for the purposes of effectively utilizing un-used areas on a handset to input or display data without compromising the portability and operability of the portable radio apparatus, as taught by Moriya.

Regarding claim 9, Prior in view of Moriya, teach all the claimed limitations as recited in claim 8. Moriya further teaches that wherein said information comprises hand-written character as seen in Figures 3 and 7 and detailed on page 7, lines 24 – 27, the abstract, and starting page 18, line 14 and ending page 19, line, 17).

Regarding claim 13, Prior in view of Moriya teach all the claimed limitations as recited in claim 8. Prior further teaches of further comprising a selecting device executing either at least one of selection, acceptance, and cancellation of an item displayed in said

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display area or a scroll of the display screen, according to a position at which, or a manner in which, said user presses said touch panel (column 1, lines 25 –47, Figures 6a and 6b, and starting column 4, line 47 and ending column 5, line 12).

Regarding claim 14, Prior in view of Moriya teach all the claimed limitations as recited in claim 8. Prior further teaches comprising at least one switch on a front of said mobile terminal for controlling acceptance and cancellation of an entry operation through said touch panel, said switch each being provided at a position, when said user holds said mobile terminal with a hand, where the user can press the switch with a finger of the hand holding said mobile terminal (as seen in Figures 1, 6a, and 6b and column 3, lines 31 – 60).

Regarding claim 15, Prior in view of Moriya teach all the claimed limitations as recited in claim 14. Prior further teaches wherein said at least one switch is disposed at a position that can be accessed by a finger other than an index finger of the hand, said position being on a front side or a side wall of the mobile terminal. (as seen in Figures 1, 6a, and 6b and column 3, lines 31 – 60).

10. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior et al. (Prior, US Patent No. 6,349,220) in further view of Moriya (Moriya, UK Patent Application GB 2, 328,343) as applied to claim 8 above, and further in view of Armstrong et al. (Armstrong, US Patent No. 5,729,219).

Regarding claim 10, Prior in view of Moriya teach all the claimed limitations as Recited in claim 8. Prior in view of Moriya do not specifically teach of further comprising: a detection device detecting a touch operation when said user touches and strokes said touch panel and for moving information or a pointer according to a

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movement of said finger on said touch panel, said information and said pointer being displayed by said display.

In a related art dealing with a selective call radio with contra-posed touch pad, Armstrong teaches of further comprising: a detection device detecting a touch operation when said user touches and strokes said touch panel and for moving information or a pointer according to a movement of said finger on said touch panel, said information and said pointer being displayed by said display (as seen in Figures 1 – 6 and column 3, lines 22 – 52).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior and Moriya's device, Armstrong's pointer motion, for the purposes of effectively controlling the movement of a pointer appearing on the display identical to the scale of movement on the display, as taught by Armstrong.

Regarding claim 11, Prior in view of Moriya teach all the claimed limitations as Recited in claim 8. Prior in view of Moriya do not specifically teach of further comprising: pointer device configured to move the pointer to a predetermined position according to the movement of said finger on said touch panel when said user strokes said touch panel with the finger and, when the user presses said touch panel in this state, to scroll the display screen in said display area vertically or horizontally.

In a related art dealing with a selective call radio with contra-posed touch pad, Armstrong teaches of further comprising: pointer device configured to move the pointer to a predetermined position according to the movement of said finger on said touch panel when said user strokes said touch panel with the finger and, when the user presses said

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touch panel in this state, to scroll the display screen in said display area vertically or horizontally (as seen in Figures 1 – 6 and column 3, lines 22 – 52).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior and Moriya's device, Armstrong's pointer motion, for the purposes of effectively controlling the movement of a pointer appearing on the display identical to the scale of movement on the display, as taught by Armstrong.

11. Claims 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior et al. (Prior, US Patent No. 6,349,220) in further view of Moriya (Moriya, UK Patent Application GB 2, 328,343) as applied to claim 8 above, and further in view of Moon et al. (Moon, US Patent No. 6,211,858).

Regarding claim 12, Prior in view of Moriya teach all the claimed limitations as recited in claim 8. Prior further teaches of further comprising a processor performing processing according to a position at which, or a manner in which, said user presses said touch panel (as seen in Figures 6a and 6b and starting column 4, line 47 and ending column 5, line 12).

Prior in view of Moriya do not specifically teach of said processing corresponding to a single-click or a double-click of a mouse.

In a related art dealing with a combined portable communications terminal, Moon teaches of said processing corresponding to a single-click or a double-click of a mouse (column 5, lines 20 – 40).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior and Moriya's mobile phone touch pad device, Moon's processing commands, for the purposes of providing a mobile with a high resolution

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graphics display in order to make better use of the processing power available in the mobile, as taught by Moon.

Regarding claim 19, Prior in view of Moriya teach all the claim limitations as recited in claim 8. Prior in view of Moriya do not teach of further comprising a recognition device recognizing graphic information from a locus of the graphic, when graphic information is entered through said touch panel.

In a related art dealing with a combined portable communications terminal, Moon teaches of comprising a recognition device recognizing graphic information from a locus of the graphic, when graphic information is entered through said touch panel (column 5, lines 20 – 60; as seen in Figures 3 and 4).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior and Moriya's mobile phone touch pad device, Moon's processing commands, for the purposes of providing a mobile with a high resolution graphics display in order to make better use of the processing power available in the mobile, as taught by Moon.

12. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prior et al. (Prior, US Patent No. 6,349,220) in further view of Moriya (Moriya, UK Patent Application GB 2, 328,343) as applied to claim 8 above, and further in view of Kisaichi et al. (Kisaichi, US Patent No. 5,786,776).

Regarding claim 17, Prior in view of Moriya teach all the claimed limitations as recited in claim 8. Both Prior and Moriya teach of wherein a type of the hand-entered information or hand-written character entered through said touch panel includes

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alphanumeric characters (as seen in Figure 7 of Moriya and detailed in column 1, lines 37 – 47 of Prior).

Moriya in view of Prior do not teach [a type of the hand-entered information or hand-written character entered through said touch panel includes] at least one of Japanese kana syllabary, kanji.

In a related art dealing with character input into a cellular telephone, Kisaichi teaches of [a type of the hand-entered information or hand-written character entered through said touch panel includes] at least one of Japanese kana syllabary, kanji (Figure 25, and starting column 28, line 61 and ending column 29, line 67).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior and Moriya's mobile touch pad, Kisaichi's Kana entry, for the purposes of using the phone in the Far East (and hence be able to display or enter names or address in Japan), as taught Kisaichi.

13. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prior et al. (Prior, US Patent No. 6,349,220) in view of Moriya (Moriya, UK Patent Application GB 2,328,343) in view of Moon et al. (Moon, US Patent No. 6,211,858) as applied to claim 19 above, and further in view of Capps et al. (Capps, US Patent No. 5,583,833).

Regarding claim 20, Prior in view of Moriya and Moon, teach all the claimed limitations as recited in claim 19. Prior in view of Moriya and Moon do not teach of further comprising an arrangement of a minute hand and a hour hand of a clock from the graphic information to provide time information from said entered locus.

In an analogous art dealing with setting an analog clock on a computer system, Capps teaches of further comprising an arrangement of a minute hand and a hour hand of

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a clock from the graphic information to provide time information from said entered locus (as seen in Figures 3 and detailed in column 2, lines 21 – 50).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior, Moriya, and Moon, mobile touch pad graphical display, Capps' pen/stylus/touch pad based analog clock setting mechanism, for the purpose of easily setting time with a pointer, as taught by Capps.

14. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior et al. (Prior, US Patent No. 6,349,220) as applied to claim 8 above, and further in view of Armstrong et al. (Armstrong, US Patent No. 5,729,219).

Regarding claim 27, Prior teaches all the claimed limitations as recited in claim 26. Prior does not specifically teach of wherein said information displayed in said display screen comprises a pointer which is allocated or moved to a desired item of said information by manipulating said finger on the touch panel.

In a related art dealing with a selective call radio with contra-posed touch pad, Armstrong teaches wherein said information displayed in said display screen comprises a pointer which is allocated or moved to a desired item of said information by manipulating said finger on the touch panel (as seen in Figures 1 – 6 and column 3, lines 22 – 52).

It would have been obvious to one skilled in the art at the time of invention to have included into Prior's device, Armstrong's pointer motion, for the purposes of effectively controlling the movement of a pointer appearing on the display identical to the scale of movement on the display, as taught by Armstrong.

Regarding claim 28, Prior in view of Armstrong teach all the claimed limitations as recited in claim 27. Armstrong and Prior both teach of wherein said item is selected

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by said pointer, which selection is accepted or cancelled by manipulating with another finger of said hand other than said finger on at least one of switches disposed either on a front and/or side wall of said housing (in Armstrong, as seen in Figures 1 – 6 and column 5, lines 11 – 17 and in Prior, Figures 1 – 7 and column 3, lines 21 – 60).

Double Patenting

15. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

16. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

17. Claims 1, 3, 21, 22, 23, and 24 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of U.S. Patent No. 6,415,165. Although the conflicting claims are not identical, they are not patentably distinct from each other because the material presented in Patent No. 6,415,165 reads on the claimed of the present application (i.e. a mobile terminal comprising: a touch panel on back thereof; and means for recognizing hand-entered

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information entered from said touch panel; means for moving information displayed on a screen in a display area in response to a predetermined entry operation from said touch panel; said mobile terminal comprises a cellular phone having a rectangular parallelepiped shape or a folding-type shape; a mobile terminal comprising: a main housing, a display screen on a front of said housing, a touch panel disposed on a back side of the housing, and a recognition device that recognizes hand-entered information entered by applying a finger of a user's hand on the touch panel; wherein said recognition device recognizes said hand-entered information by detecting a position and/or locus of the applied finger; and wherein information recognized by said recognition device is displayed in said display screen).

18. Claims 2, 6, 8, and 9 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of U.S. Patent No. 6,415,165 in view of Moriya (Moriya, UK Patent Application GB 2, 328,343).

Regarding claim 2, claims 1 and 2 of U.S. Patent No. 6,415,165 teach all the claimed limitations as recited in claim 1. Claims 1 and 2 of U.S. Patent No. 6,415,165 do not specifically teach of wherein said information comprises hand-written character.

In a related art dealing with a portable apparatus having an additional display on a second surface, Moriya teaches of wherein said information comprises hand-written character (as seen in Figures 3 and 7 and detailed on page 7, lines 24 – 27, the abstract, and starting page 18, line 14 and ending page 19, line, 17).

It would have been obvious to one skilled in the art at the time of invention to have included into claims 1 and 2 of U.S. Patent No. 6,415,165's touch panel, Moriya's

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hand-written entry means, for the purposes of effectively utilizing un-used areas on a handset to input or display data without compromising the portability and operability of the portable radio apparatus, as taught by Moriya.

Regarding claim 6, claims 1 and 2 of U.S. Patent No. 6,415,165 teach all the claimed limitations as recited in claim 1. Claims 1 and 2 of U.S. Patent No. 6,415,165 do not specifically teach does not specifically teach of further comprising means for recognizing a simple hand-written graphic entered from said touch panel.

In a related art dealing with a portable apparatus having an additional display on a second surface, Moriya teaches of further comprising means for recognizing a simple hand-written graphic entered from said touch panel (as seen in Figures 3 and 7 and detailed on page 7, lines 24 – 27, the abstract, and starting page 18, line 14 and ending page 19, line, 17).

It would have been obvious to one skilled in the art at the time of invention to have included into claims 1 and 2 of U.S. Patent No. 6,415,165's touch panel, Moriya's hand-written entry means, for the purposes of effectively utilizing un-used areas on a handset to input or display data without compromising the portability and operability of the portable radio apparatus, as taught by Moriya.

Regarding claim 8, claims 1 and 2 of U.S. Patent No. 6,415,165 teach of a mobile terminal with an operation entry part and a display area on a front thereof, comprising: a touch panel provided on a back of the terminal to allow a user, while holding the terminal with a hand, to perform an entry operation with a finger of the hand holding the terminal; and a display screen displaying said recognized information, said

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display screen being disposed in said display area (column 1, lines 25 – 37 and seen in Figures 6a, 6b, 7a, and 7b).

Claims 1 and 2 of U.S. Patent No. 6,415,165 do not specifically teach of a recognition device recognizing a hand-entered information entered from said touch panel.

In a related art dealing with a portable apparatus having an additional display on a second surface, Moriya teaches of a recognition device recognizing a hand-entered information entered from said touch panel (as seen in Figures 3 and 7 and detailed on page 7, lines 24 – 27, the abstract, and starting page 18, line 14 and ending page 19, line, 17; note that it is inherent to Moriya to have such a device as it is displaying hand-written characters; numerous chips available on the market at that time performed these functions, such as the NEC V832 microcontroller).

It would have been obvious to one skilled in the art at the time of invention to have included into Claims 1 and 2 of U.S. Patent No. 6,415,165's touch panel, Moriya's hand-written entry means, for the purposes of effectively utilizing un-used areas on a handset to input or display data without compromising the portability and operability of the portable radio apparatus, as taught by Moriya.

Regarding claim 9, claims 1 and 2 of U.S. Patent No. 6,415,165 in view of Moriya, teach all the claimed limitations as recited in claim 8. Moriya further teaches that wherein said information comprises hand-written character as seen in Figures 3 and 7 and detailed on page 7, lines 24 – 27, the abstract, and starting page 18, line 14 and ending page 19, line, 17).

19. Claims 10 and 11 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of U.S.

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Patent No. 6,415,165 in view of Moriya (Moriya, UK Patent Application GB 2, 328,343) and in further view of Armstrong et al. (Armstrong, US Patent No. 5,729,219).

Regarding claim 10, claims 1 and 2 of U.S. Patent No. 6,415,165 in view of Moriya teach all the claimed limitations as recited in claim 8. Claims 1 and 2 of U.S. Patent No. 6,415,165 in view of Moriya do not specifically teach of further comprising: a detection device detecting a touch operation when said user touches and strokes said touch panel and for moving information or a pointer according to a movement of said finger on said touch panel, said information and said pointer being displayed by said display.

In a related art dealing with a selective call radio with contra-posed touch pad, Armstrong teaches of further comprising: a detection device detecting a touch operation when said user touches and strokes said touch panel and for moving information or a pointer according to a movement of said finger on said touch panel, said information and said pointer being displayed by said display (as seen in Figures 1 – 6 and column 3, lines 22 – 52).

It would have been obvious to one skilled in the art at the time of invention to have included into claims 1 and 2 of U.S. Patent No. 6,415,165 and Moriya's device, Armstrong's pointer motion, for the purposes of effectively controlling the movement of a pointer appearing on the display identical to the scale of movement on the display, as taught by Armstrong.

Regarding claim 11, claims 1 and 2 of U.S. Patent No. 6,415,165 in view of Moriya teach all the claimed limitations as recited in claim 8. Claims 1 and 2 of U.S. Patent No. 6,415,165 in view of Moriya do not specifically teach of further comprising:

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pointer device configured to move the pointer to a predetermined position according to the movement of said finger on said touch panel when said user strokes said touch panel with the finger and, when the user presses said touch panel in this state, to scroll the display screen in said display area vertically or horizontally.

In a related art dealing with a selective call radio with contra-posed touch pad, Armstrong teaches of further comprising: pointer device configured to move the pointer to a predetermined position according to the movement of said finger on said touch panel when said user strokes said touch panel with the finger and, when the user presses said touch panel in this state, to scroll the display screen in said display area vertically or horizontally (as seen in Figures 1 – 6 and column 3, lines 22 – 52).

It would have been obvious to one skilled in the art at the time of invention to have included into claims 1 and 2 of U.S. Patent No. 6,415,165 and Moriya's device, Armstrong's pointer motion, for the purposes of effectively controlling the movement of a pointer appearing on the display identical to the scale of movement on the display, as taught by Armstrong.

20. Claims 26 – 28 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of U.S. Patent No. 6,415,165 in view of Armstrong et al. (Armstrong, US Patent No. 5,729,219).

Regarding claim 26, claims 1 and 2 of U.S. Patent No. 6,415,165 teach all the claimed limitations as recited in claim 24. Claims 1 and 2 of U.S. Patent No. 6,415,165 does not teach wherein said information displayed said display screen scrolled or moved by stroking said finger on the touch panel.

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In a related art dealing with a selective call radio with contra-posed touch pad, Armstrong teaches of wherein said information displayed said display screen scrolled or moved by stroking said finger on the touch panel (as seen in Figures 1 – 6 and column 3, lines 22 – 52).

It would have been obvious to one skilled in the art at the time of invention to have included into claims 1 and 2 of U.S. Patent No. 6,415,165's device, Armstrong's pointer motion, for the purposes of effectively controlling the movement of a pointer appearing on the display identical to the scale of movement on the display, as taught by Armstrong.

Regarding claim 27, claims 1 and 2 of U.S. Patent No. 6,415,165 in view of Armstrong teach all the claimed limitations as recited in claim 26. Armstrong further teaches wherein said information displayed in said display screen comprises a pointer which is allocated or moved to a desired item of said information by manipulating said finger on the touch panel (as seen in Figures 1 – 6 and column 3, lines 22 – 52).

Regarding claim 28, claims 1 and 2 of U.S. Patent No. 6,415,165 in view of Armstrong teach all the claimed limitations as recited in claim 27. Armstrong further teaches of wherein said item is selected by said pointer, which selection is accepted or cancelled by manipulating with another finger of said hand other than said finger on at least one of switches disposed either on a front and/or side wall of said housing (Armstrong, as seen in Figures 1 – 6 and column 5, lines 11 – 17).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanmay S Lele whose telephone number is (703) 305-

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3462. The examiner can normally be reached on 9 - 6:30 PM, Monday – Thursdays and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (703) 305-4778. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.


Tanmay S Lele
Examiner
Art Unit 2681

tsl
January 9, 2003


DWAYNE BOST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600